

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHINEDU ENIGWE,

Plaintiff,

v.

CLYDE GAINESY, et al.,

Defendants.

CIVIL ACTION

No. 10-684

ORDER

AND NOW, this 6 day of April, 2011, it is hereby **ORDERED** that defendant Prison Health Services' Motion to Dismiss the Amended Complaint, dkt. 19, is **GRANTED**, and that Enigwe's complaint is **DISMISSED**, without prejudice, as to Prison Health Services. It is further **ORDERED** that defendant Prison Health Services' Motion to Dismiss for Lack of Prosecution, dkt. 25, is **DENIED**. The plaintiff may amend his complaint no later than 30 days from the date of this order.

/s/ Louis H. Pollak

Pollak, J.